

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

<hr/>		X
WATERFORD TOWNSHIP POLICE & FIRE :	Civil Action No. 1:10-cv-00864-SLT-RER	
RETIREMENT SYSTEM, Individually and On :	(Consolidated)	
Behalf Of All Others Similarly Situated,	:	
	:	<u>CLASS ACTION</u>
Plaintiff,	:	
	:	NOTICE OF UNOPPOSED MOTION FOR
vs.	:	PRELIMINARY APPROVAL OF
	:	SETTLEMENT
SMITHTOWN BANCORP, INC., et al.,	:	
	:	
Defendants.	:	
<hr/>		X

TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD

PLEASE TAKE NOTICE that Lead Plaintiffs, Waterford Township Police & Fire Retirement System and Michael L. Cox, will move the Court, before the Honorable Sandra L. Townes, United States District Judge for the Eastern District of New York, 225 Cadman Plaza East, Brooklyn, NY 11201, at a date and at such time as may be designated by the Court, for an order granting preliminary approval of the proposed settlement of this putative securities class action, pursuant to Federal Rule of Civil Procedure 23(e), directing that notice be sent to all Class Members and summary notice to be published, and setting a hearing for final approval. This unopposed Motion is based on the Stipulation and Agreement of Settlement and the exhibits annexed thereto, and Lead Plaintiffs' Memorandum of Law in Support of Unopposed Motion for Preliminary Approval of Settlement.

DATED: January 12, 2015

Respectfully submitted,

ROBBINS GELLER RUDMAN
& DOWD LLP
SAMUEL H. RUDMAN
EVAN J. KAUFMAN
JUSTIN SOLOMON NEMATZADEH
58 South Service Road, Suite 200
Melville, NY 11747
Telephone: 631/367-7100
631/367-1173 (fax)

ROBBINS GELLER RUDMAN
& DOWD LLP
ELLEN GUSIKOFF STEWART

s/ Ellen Gusikoff Stewart
ELLEN GUSIKOFF STEWART

655 West Broadway, Suite 1900
San Diego, CA 92101
Telephone: 619/231-1058
619/231-7423 (fax)

Lead Counsel for Plaintiffs

VANOVERBEKE MICHAUD & TIMMONY,
P.C.
MICHAEL J. VANOVERBEKE
THOMAS C. MICHAUD
79 Alfred Street
Detroit, MI 48201
Telephone: 313/578-1200
313/578-1201 (fax)

Additional Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on January 12, 2015, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I caused to be mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on January 12, 2015.

s/ Ellen Gusikoff Stewart

ELLEN GUSIKOFF STEWART

ROBBINS GELLER RUDMAN
& DOWD LLP

655 West Broadway, Suite 1900

San Diego, CA 92101-8498

Telephone: 619/231-1058

619/231-7423 (fax)

E-mail: elleng@rgrdlaw.com

Mailing Information for a Case 1:10-cv-00864-SLT-RER Waterford Township Police & Fire Retirement System v. Smithtown Bancorp, Inc. et al

Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

- **Mario Alba , Jr**
malba@rgrdlaw.com,e_file_ny@rgrdlaw.com,drosenfeld@rgrdlaw.com
- **Ellen Gusikoff Stewart**
elleng@rgrdlaw.com,jstark@rgrdlaw.com
- **Evan Jay Kaufman**
ekaufman@rgrdlaw.com,e_file_ny@rgrdlaw.com
- **Justin Solomon Nematzadeh**
jnematzadeh@rgrdlaw.com,e_file_ny@rgrdlaw.com,justin.nematzadeh@gmail.com
- **William M. Regan**
william.regan@kattenlaw.com
- **David A. Rosenfeld**
drosenfeld@rgrdlaw.com,e_file_ny@rgrdlaw.com,e_file_sd@rgrdlaw.com
- **Samuel H. Rudman**
srudman@rgrdlaw.com

Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

- (No manual recipients)